



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
www.ladpw.org

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE

REFER TO FILE: **C-1**

September 23, 2003

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**AWARD OF PUBLIC WORKS CONSTRUCTION CONTRACTS
SUPERVISORIAL DISTRICTS 1 AND 4
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

Award and authorize the Director of Public Works or his designee to prepare the construction and maintenance services contracts in the form previously approved by County Counsel, execute the contracts, and establish the effective dates following receipt of approved Faithful Performance and Labor and Material bonds filed by the contractors for the following:

Project ID No. RDC0010883 - Crenshaw Boulevard, Palos Verdes Drive North to Silver Spur Road, vicinity of Rolling Hills Estates (4), to Excel Paving Company, in amount of \$1,174,657.56.

Project ID No. RDC0014318 - Smithway Street, City of Commerce (1), to Sully-Miller Contracting Company, in amount of \$668,346.00.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

We are recommending that your Board award these construction contracts and authorize the Director of Public Works or his designee to execute the contracts and establish the effective contract dates following receipt of approved bonds and insurance filed by contractors for each of these projects.

The enclosure for each project includes the project description, the call for bids and bid opening dates, a tabulation of bids, and financial information. The certified record of receipt of bids and the original bid proposals for each project are also enclosed, including addenda to the contract specifications for Project ID Nos. RDC0014318 and RDC0010883.

The recommended construction contracts are necessary to execute Board-directed and approved Public Works projects in support of operational missions. Your Board's approval of the recommended contract awards and our subsequent execution of the contracts will ensure the timely completion of the projects.

Implementation of Strategic Plan Goals

The award of these construction contracts is consistent with the County Strategic Plan Goal of Service Excellence since these contracts will provide improved infrastructure to better serve the public.

FISCAL IMPACT/FINANCING

The enclosure for each project includes the amount of the recommended contract as compared with the engineer's estimate and the other bids received.

These projects are included in the 2003-04 Department of Public Works Budget. The enclosure for each project includes more detailed fiscal and financial information.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Recommended contract awards are to the lowest responsible bidders in accordance with the California Public Contract Code and your Board's directives.

On October 27, 1981, your Board adopted a program for the use of small Minority and Women-owned Businesses (MWBs) on Federal- and State-funded highway construction contracts. Companies meeting these requirements are certified by the State as Disadvantaged Business Enterprises (DBEs). An overall goal for subcontracting portions of the work to DBEs is established for each project. Contracts are recommended for award to the lowest responsible bidder who meets the goal or documents a good faith effort to do so in conformance with the program.

We have also developed an outreach program to encourage all qualified contractors to participate in the bidding and contracting process on our projects. Under this program, we place notices of upcoming bids in local and minority newspapers throughout the County. These notices indicate that copies of plans and specifications are available at specified libraries and the Public Works Headquarters building. This allows interested contractors to view the plans and specifications at convenient locations. We also provide telephone numbers (including one for Spanish-speaking contractors) to obtain further information on bidding and subcontracting opportunities.

To further increase contractor awareness of contracting opportunities with Public Works, each of these projects was listed on the County website for upcoming bids.

The State Labor Code requires contractors to pay prevailing wage rates to all persons employed on public works construction contracts. These rates are determined by the Department of Industrial Relations and include contributions for fringe benefits such as vacations, pension funds, training, and health plans for each employee.

As required by your Board, language has been incorporated into the project specifications stating that the contractor shall notify its employees, and shall require each subcontractor to notify its employees, that they may be eligible for the Federal Earned Income Credit under the Federal income tax laws.

The contracts will be in the form previously approved by County Counsel. We will also review and approve the faithful performance and payment bonds filed by the contractors.

ENVIRONMENTAL DOCUMENTATION

Each of these projects was found to be categorically exempt from the provisions of the California Environmental Quality Act at the time your Board called for bids. The specifics of these findings are included in the enclosure for each project.

CONTRACTING PROCESS

The contracts were solicited on an open competitive basis in accordance with the provisions of the Public Contract Code.

The project specifications contain provisions requiring the contractor to report solicitations of improper consideration by County employees and allowing the County to terminate the contract if it is found that the contractor offered or gave improper consideration to County employees.

Public Works has confirmed that all of the respective contractors are in compliance with the County's Child Support Compliance Program and the requirements of the Contractor Employee Jury Service Program. In addition, the contracts will include language requiring compliance with the Newborn Abandonment Law (Safely Surrendered Baby Law).

The project specifications also contain a provision that, should the contractor require additional or replacement personnel to fill employment openings, consideration shall be given to hiring qualified participants in the County's Greater Avenues for Independence or General Relief Opportunities for Work Programs.

To ensure that the contracts are awarded to responsible contractors with satisfactory performance histories, bidders are required to report violations of the False Claims Act, their civil litigation history, and information regarding prior criminal convictions. The information reported by all of the respective contractors was considered before making this recommendation to approve execution of the contracts.

The Honorable Board of Supervisors
September 23, 2003
Page 5

IMPACT ON CURRENT SERVICES (OR PROJECTS)

These construction contracts will result in improved public works infrastructure in the communities where the work is scheduled. Where appropriate, local residents and businesses will be informed that traffic and local access may be mildly disrupted during the construction. The proposed schedules for construction are included in the enclosure for each project.

CONCLUSION

Please return one approved copy of this letter to Public Works.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

PB:lm
O:\Section\Administration\Board\Awd\09-23-03ltr.dot

Enc. 2

cc: Chief Administrative Office
County Counsel
Office of Affirmative Action Compliance

AWARD OF CONTRACT
September 23, 2003

PROJECT ID NO. RDC0010883, CRENSHAW BOULEVARD, PALOS VERDES DRIVE
NORTH TO SILVER SPUR ROAD (in the vicinity of Rolling Hills Estates),
Supervisory District 4

TYPE OF WORK: Resurfacing and reconstruction of roadway pavement; reconstruction of sidewalk, curb, and gutter; construction of concrete barriers, concrete headlight glare screens, crash cushions, and an edge drain system; and modification of traffic signals.

CALL FOR BIDS DATE: August 5, 2003 (Synopsis 39)

BID OPENING DATE: September 2, 2003

BID SUMMARY:

Low	Palp, Inc., a corporation dba Excel Paving Company 2230 Lemon Avenue Long Beach, California 90806 (562) 599-5841	\$1,174,657.56
2	Alliance Streetworks, Inc.	\$1,193,426.50
3	Sequel Contractors, Inc.	\$1,213,995.20
4	Security Paving Company, Inc.	\$1,264,718.10
5	Sully-Miller Contracting Company	\$1,472,360.70

Silvia Construction, Inc., was the apparent low bidder with a bid of \$1,074,621.60; however, Silvia Construction, Inc., requested that its bid be withdrawn due to a clerical error in the bid computation resulting in a significant underbid. Our review confirmed that a bonafide clerical error had been made and that Silvia Construction, Inc., should be relieved of its bid proposal. Therefore, under Section 5103 of the Public Contract Code, we recommend award of the contract to the next lowest, responsible bidder.

FINANCIAL INFORMATION:

Amount of estimate	\$1,268,714.50
Amount of recommended contract	\$1,174,657.56
Amount of recommended contract below estimate	\$ 94,056.94

The amount of the recommended contract is 7.4 percent below the estimate.

This project is jurisdictionally shared with the City of Rolling Hills Estates. County-City cooperative Agreement No. 74438 provides for the County to perform the preliminary engineering and administer the construction of the project at County expense with the City and the County to finance their respective jurisdictional shares of the construction contract and utility relocation costs of the project.

This project will also be administered under the Federal Surface Transportation Program (STP) covered by Agreement No. 71078 with the State of California. Under this program, Federal-aid funds allocated to local agencies are used to finance a portion of the cost of road improvements projects. This project is included in the Fiscal Year 2003-04 Proposition C Local Return Fund Budget.

MINORITY/WOMEN-OWNED BUSINESS ENTERPRISE DATA:

Excel Paving Company has four MWBE subcontractors/suppliers under this contract, yielding a proposed DBE participation of 11.2 percent. This contract has a Federal-mandated DBE goal of 11 percent.

ENVIRONMENTAL IMPACT:

This project is categorically exempt pursuant to Class 1, Subsections (x)(2), (x)(4), and (x)(14), of the revised County Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987.

CONSTRUCTION SCHEDULE:

The contract specifications require the work to be completed in 80 working days. It is estimated that the work will start in December 2003 and be completed in April 2004.

EK:rm

O:\Section\Administration\Board\Awd\09-23-03\tr.dot

AWARD OF CONTRACT
September 23, 2003

PROJECT ID NO. RDC0014318, SMITHWAY STREET (City of Commerce),
Supervisory District 1

TYPE OF WORK: Widening and reconstruction of roadway pavement; construction of curb and gutter, sidewalk, driveways, catch basins, and connector pipes; installation of a street lighting system; and installation of striping and pavement markings.

CALL FOR BIDS DATE: August 12, 2003 (Synopsis 46)

BID OPENING DATE: September 16, 2003

BID SUMMARY:

Low	Sully-Miller Contracting Company, a corporation 1100 East Orangethorpe Avenue, Suite 200 Anaheim, California 92801 (714) 578-9600	\$668,346.00
2	Sequel Contractors, Inc.	\$672,521.60
3	Shawnan	\$675,046.00
4	Orion Contracting, Inc.	\$677,730.00
5	Security Paving Company, Inc.	\$684,811.00
6	Los Angeles Engineering, Inc.	\$689,131.50
7	Excel Paving Company	\$689,953.75
8	Silvia Construction, Inc.	\$717,111.46
9	Elite Bobcat Service, Inc.	\$722,552.25
10	Southern California Underground Contractors, Inc.	\$806,027.00
11	Gentry Brothers, Inc.	\$829,324.35
12	+*Padilla Paving Company	\$830,367.35

*MWBE

+SBE

FINANCIAL INFORMATION:

Amount of estimate	\$826,006.50
Amount of recommended contract	\$668,346.00
Amount of recommended contract below estimate	\$157,660.50

The amount of the recommended contract is 19 percent below the estimate.

County-City of Commerce cooperative Agreement No. 74431 provides for the County to administer the construction of the project, with the City to finance the total cost of the project.

This project is included in the Fiscal Year 2003-04 Road Fund Budget.

MINORITY/WOMEN-OWNED BUSINESS ENTERPRISE DATA:

Sully-Miller Contracting Company has three MWBE subcontractors/suppliers under this contract, yielding a proposed DBE participation of 4 percent. This contract does not have a Federal- or State-mandated DBE goal.

ENVIRONMENTAL IMPACT:

This project is categorically exempt pursuant to Class 1, Subsections (e) and (x)(14), of the revised County Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987.

CONSTRUCTION SCHEDULE:

The contract specifications require the work to be completed in 60 calendar days. It is estimated that the work will start in October and be completed in December 2003.

ADDITIONAL INFORMATION:

The contractor's industrial safety record indicates one accident resulting in a fatality on October 1, 1998. The Sully-Miller employee who suffered the fatal accident was not working on property controlled by Sully-Miller and was not supervised by anyone from Sully-Miller. The employee was on loan to another contractor as a roller operator when the accident occurred. Sully-Miller's Workers' Compensation insurance carrier is handling the case.

Cal/OSHA has completed their investigation and cited Sully-Miller for violation of California Code of Regulations Section 3203 (a)(2,4). The citation is under appeal. The case is still under investigation by the San Bernardino County District Attorney, and no decisions have been made. The contractor's operations on County projects have been conducted in accordance with the appropriate safety standards.

CM:lm

O:\Section\Administration\Board\Awd\09-23-03ltr.dot